

REMARKS

Claims 1-18 remain in the application including independent claims 1 and 15. New dependent claims 19-26 have been added.

The amendment to claim 6 is not related to any rejection or objection set forth in the subject official action. Claim 6 has solely been amended to provide consistent terminology.

Claims 1-18 stand rejected under 35 U.S.C. 102(b) as being anticipated by Mammarella (US 6167855). Claim 1 is directed to an air induction assembly including an air cleaner having an inlet and an outlet, an intake manifold mounted to the air cleaner, and a valve cover mounted to the air cleaner. Mammarella does not disclose this combination of elements.

The examiner has provided no arguments detailing how Mammarella discloses the features of claims 1-18. The examiner has merely recited the language of claim 1 and has stated that Mammarella discloses these features. The examiner has not provided any references to figures, reference numbers, or text to explain the rejection. Thus, the rejection under 35 U.S.C. 102(b) is improper. Further, the examiner has ignored claims 2-18 which clearly are not disclosed or taught by Mammarella.

Mammarella discloses an air filter 28 that is installed within an intake manifold 18 that is attached to a valve cover 20. A cover 12 is attached to the intake manifold 18 with clips 16. Thus, there is no teaching of an air cleaner that is mounted to both a valve cover and an intake manifold as set forth in claim 1.

Mammarella also does not disclose any of the features of claims 2-18. For example, claim 2 requires the air cleaner to be positioned directly between the valve cover and the intake

manifold. The air filter 28 in Mammarella is clearly above both the intake manifold 18 and the valve cover 20. Thus, the air filter cannot be between these components.

Claim 3 requires the air cleaner, the intake manifold, and the valve cover to be integrally molded together as a single piece. Again, Mammarella clearly discloses separate components for the air filter 28, valve cover 20, and intake manifold 18. Further, it would be impossible to integrally mold the pleated paper air filter 28 itself as part of the valve cover 20 and intake manifold 18.

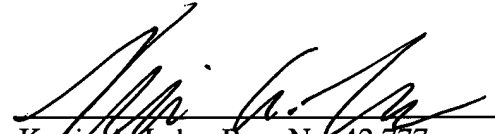
Claim 4 requires one attachment interface between the air cleaner and the intake manifold and one attachment interface between the air cleaner and the valve cover. As discussed above, air filter 28 is not attached to the valve cover 20.

Finally, as another example, claims 9-11 require a panel air filter, which clearly would not work within the Mammarella configuration. The examiner has not indicated where in Mammarella a panel air filter is disclosed. As the examiner has not provided any details explaining which elements in Mammarella correspond to the claimed elements, it is difficult to formulate more detailed response other than to indicate applicant's claimed features that Mammarella does not disclose. If the examiner continues to uphold the rejection based on Mammarella, applicant respectfully requests a more detailed explanation of the rejection for all of the claims.

Applicant respectfully asserts that all claims are now in condition for allowance. A check is enclosed to cover the cost of the additional claim fees. Applicant believes that no additional fees are necessary, however, the Commissioner is authorized to charge Deposit Account No. 50-

1482 in the name of Carlson, Gaskey & Olds for any additional fees or credit the account for any overpayment.

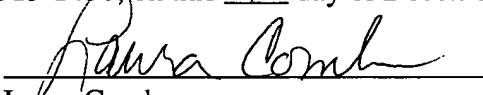
Respectfully submitted,


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Dated: December 9, 2004

CERTIFICATE OF MAIL

I hereby certify that the enclosed Response is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 9 day of December, 2004.


Laura Combs